

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA.

CHARLOTTE GRADY and
CHRISTOPHER GRADY, individually and
as husband and wife, and the marital
community composed thereof;
CHRISTOPHER GRADY as the Guardian
of T.G., a minor; and CHRISTOPHER
GRADY as the natural parent of A.G., a
minor.

NO.: 3:09-CV-05390-RBL

**PETITION TO AMEND ORDER
APPROVING MINOR
SETTLEMENT DISBURSEMENTS
PURSUANT TO LRCP 17(C)**

NOTE ON MOTION CALENDAR:
August 13, 2010

PHYSIOTHERAPY ASSOCIATES, INC., a Michigan Corporation; STRYKER CORPORATION, a Michigan corporation; and MICHAEL R. SEVERINO, DPT, and NICOLE A. SEVERINO, PT, husband and wife and the marital community composed thereof.

COME NOW Plaintiffs Charlotte Grady, Christopher Grady, Christopher Grady as the Guardian of T.G. and Christopher Grady as the natural parent of

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1 A.G. and petitions the Court for an Amended Order approving the minor
2 settlement of their individual claims in this action.

3 **I. FACTS REGARDING MINOR PETITIONERS' INJURIES AND DAMAGES**

4 These claims arise out of injuries sustained by Charlotte Grady on
5 February 20, 2007, when she suffered a third degree burn that required two
6 subsequent skin grafts.

7 The minor settlements were approved by this Court on January 10, 2010.
8 The Order indicated that the settlement funds for each minor should be placed in
9 a blocked bank account, but failed to state that the funds should remain in the
10 blocked bank account until each minor's eighteenth birthday.

11 **II. SUMMARY OF PROPOSED GROSS SETTLEMENTS AGREED UPON**

12 Each minor received a \$5,000 settlement as compensation for their loss of
13 consortium claims. As stated in Plaintiff's prior Petition regarding the minor
14 settlements, no attorney fees or costs will be deducted from those amounts. The
15 Court previously approved this settlement. The settlement amounts should be
16 placed in two interest bearing accounts blocked until the minors reach age 18.

17 **III. APPLICATION & DISBURSEMENT OF GROSS SETTLEMENT
18 PROCEEDS**

19 The two \$5,000 settlements will be deposited in interest bearing bank
20 accounts that will be blocked until each minor reaches the age of majority.

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DATED at Tacoma, Washington, this 12th day of August, 2010.

1 **MARGULLIS, LUEDTKE & RAY, PLLC**
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4 */s/ Rodney B. Ray*
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6 **RODNEY B. RAY, WSB# 7446**
7 **SHERILEE M. LUEDTKE, WSBA#: 11891**
8 Of Attorneys for Plaintiffs

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10 **AGREED TO:**
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13 */s/ June Campbell*
14

15 **JUNE CAMPBELL, WSB# 11427**
16 Of Attorneys for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused to be served the foregoing Petition on the following individual in the manner indicated:

Attorneys for Defendant

**June Campbell
LANE POWELL, PC
1420 Fifth Avenue, Suite 4100
Seattle, WA 98101**

- Via CM/ECF
- Via e-mail: CampbellJ@LanePowell.com
- Via Messenger Service
- Via U.S. Mail
- Via Facsimile

DATED this 13th day of August, 2010.

Kristine J. Coy
KRISTINE J. COY

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